

SHB 2917 - S COMM AMD

By Committee on Agriculture & Rural Economic Development

ADOPTED AS AMENDED 03/03/06

1 Strike everything after the enacting clause and insert the  
2 following:

3 "Sec. 1. RCW 36.70A.177 and 2004 c 207 s 1 are each amended to  
4 read as follows:

5 (1) A county or a city may use a variety of innovative zoning  
6 techniques in areas designated as agricultural lands of long-term  
7 commercial significance under RCW 36.70A.170. The innovative zoning  
8 techniques should be designed to conserve agricultural lands and  
9 encourage the agricultural economy. Except as provided in subsection  
10 (3) of this section, a county or city should encourage nonagricultural  
11 uses to be limited to lands with poor soils or otherwise not suitable  
12 for agricultural purposes.

13 (2) Innovative zoning techniques a county or city may consider  
14 include, but are not limited to:

15 (a) Agricultural zoning, which limits the density of development  
16 and restricts or prohibits nonfarm uses of agricultural land and may  
17 allow accessory uses, including nonagricultural accessory uses and  
18 activities, that support, promote, or sustain agricultural operations  
19 and production, as provided in subsection (3) of this section;

20 (b) Cluster zoning, which allows new development on one portion of  
21 the land, leaving the remainder in agricultural or open space uses;

22 (c) Large lot zoning, which establishes as a minimum lot size the  
23 amount of land necessary to achieve a successful farming practice;

24 (d) Quarter/quarter zoning, which permits one residential dwelling  
25 on a one-acre minimum lot for each one-sixteenth of a section of land;  
26 and

27 (e) Sliding scale zoning, which allows the number of lots for  
28 single-family residential purposes with a minimum lot size of one acre  
29 to increase inversely as the size of the total acreage increases.

1           (3)~~((a))~~ Accessory uses allowed under subsection (2)(a) of this  
2 section shall comply with the following:

3           ~~((i))~~ (a) Accessory uses shall be located, designed, and operated  
4 so as ~~((not))~~ to not interfere with ~~((natural resource land uses and~~  
5 ~~shall be accessory to the growing of crops or raising of animals)), and~~  
6 to support the continuation of, the overall agricultural use of the  
7 property and neighboring properties, and shall comply with the  
8 requirements of this chapter;

9           ~~((ii))~~ (b) Accessory ~~((commercial or retail))~~ uses ~~((shall~~  
10 ~~predominately produce, store, or sell regionally produced))~~ may  
11 include:

12           (i) Agricultural accessory uses and activities, including but not  
13 limited to the storage, distribution, and marketing of regional  
14 agricultural products from one or more producers, ~~((products derived~~  
15 ~~from regional agricultural production,))~~ agriculturally related  
16 experiences, or ~~((products produced on-site. Accessory commercial and~~  
17 ~~retail uses shall offer for sale predominantly products or services~~  
18 produced on-site)) the production, marketing, and distribution of  
19 value-added agricultural products, including support services that  
20 facilitate these activities; and

21           ~~((iii) Accessory uses may operate out of existing or new buildings~~  
22 ~~with parking and other supportive uses))~~ (ii) Nonagricultural accessory  
23 uses and activities as long as they are consistent with the size  
24 ~~((and)),~~ scale, and intensity of the existing agricultural use of the  
25 property and the existing buildings on the site ~~((but)).~~  
26 Nonagricultural accessory uses and activities, including new buildings,  
27 parking, or supportive uses, shall not be located outside the general  
28 area already developed for buildings and residential uses and shall not  
29 otherwise convert more than one acre of agricultural land to  
30 nonagricultural uses(~~-~~

31           ~~(b) Accessory uses may include compatible commercial or retail uses~~  
32 ~~including, but not limited to:~~

33           ~~(i) Storage and refrigeration of regional agricultural products;~~

34           ~~(ii) Production, sales, and marketing of value added agricultural~~  
35 ~~products derived from regional sources;~~

36           ~~(iii) Supplemental sources of on farm income that support and~~  
37 ~~sustain on farm agricultural operations and production;~~

1       ~~(iv) Support services that facilitate the production, marketing,~~  
2 ~~and distribution of agricultural products; and~~  
3       ~~(v) Off farm and on farm sales and marketing of predominately~~  
4 ~~regional agricultural products and experiences, locally made art and~~  
5 ~~arts and crafts, and ancillary retail sales or service activities));~~  
6 and  
7       (c) Counties and cities have the authority to limit or exclude  
8 accessory uses otherwise authorized in this subsection (3) in areas  
9 designated as agricultural lands of long-term commercial significance.  
10       (4) This section shall not be interpreted to limit agricultural  
11 production on designated agricultural lands."

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12       On page 1, line 1 of the title, after "lands;" strike the remainder  
13 of the title and insert "and amending RCW 36.70A.177."

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